

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY
LITIGATION

This relates to Plaintiff Alexis Conley
Case No.: 3:18-cv-1167

MDL No. 3:16-md 02738

**OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS PLAINTIFF
ALEXIS CONLEY'S COMPLAINT**

Plaintiff Alexis Conley hereby files this Opposition to Defendants' Johnson & Johnson and Johnson & Johnson Consumer Inc. ("Defendants") Motion to Dismiss Plaintiff Alexis Conley's Complaint for Failure to Comply with this Court's May 15, May 26, and June 4, 2020 Orders and states as follows:

1. Counsel of record for Plaintiff Conley, Jessica Meeder, Esq., was employed with Murphy, Falcon & Murphy when she entered her appearance on behalf of Plaintiff Conley. Subsequently, Ms. Meeder voluntarily left the firm. Although her e-mail was being monitored by a person within Murphy, Falcon & Murphy, that person was an administrator and apparently was not forwarding the ECF notifications to the appropriate individuals in the firm.

2. Moreover, ECF notifications in Plaintiff Conley's matter were not being sent independently to staff members within the firm. Consequently, the attorney with the law

firm of Murphy, Falcon & Murphy, Nikoletta S. Mendrinis, who is monitoring other talcum powder cases within the firm, was not receiving ECF notifications nor any emails sent by Plaintiffs' Co-Lead Counsel relating to Plaintiff Conley. Thus, undersigned counsel was unaware of the discovery deficiencies with regard to Plaintiff Conley.

3. Moreover, Murphy, Falcon & Murphy is working together with The Gorny Law Firm on Plaintiff Conley's case. The Gorny Law Firm, which has been in contact with Plaintiff Conley, was also unaware of the discovery deficiencies.

4. Thus, Plaintiff Conley was noncompliant with this Court's Order through no fault of her own.

5. Upon learning of these deficiencies, Murphy, Falcon & Murphy and The Gorny Law Firm contacted both law firms serving as Co-Lead Counsel for Plaintiffs and Jessica Brennan, Esq., Counsel for Defendants, in an attempt to cure the deficiencies.

6. Counsel will substitute appearances and submit the requisite documents to comply with this Court's Orders within 45 days of this Opposition.

7. No prejudice to Defendants will result in denying their Motion to Dismiss and allowing Ms. Conley to comply with this Court's Orders.

8. Accordingly, Plaintiff Conley respectfully requests that this Court deny Defendants' Motion to Dismiss for Failure to Comply with this Court's Order as the noncompliance is through administrative error and through no fault of her own, and she

intends to comply with this Court's Orders immediately.

Respectfully submitted,

MURPHY, FALCON & MURPHY

/s/

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Opposition to Defendants' Motion to Dismiss Plaintiff Alexis Conley's Complaint for Failure to Comply with this Court's May 15, May 26, and June 4, 2020 Orders was sent via the Court's ECF system to all Counsel of Record.

/s/

Nicholas A. Szokoly